

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MARY BLOODSWORTH, et al.,)
)
Plaintiffs,)
)
v.) CIVIL ACTION NO. 2:05cv622-D
)
SMITH & NEPHEW, et al.,)
)
Defendants.)

ORDER

Upon CONSIDERATION of Defendant Donnie Lanier's motion to dismiss (Doc. No. 5), and in light of the court's order entered contemporaneously herewith, it is ORDERED that said motion be and the same is hereby DENIED as moot.

It is further CONSIDERED and ORDERED that Spar Medical's motion to deem state court process insufficient (Doc. No. 11) be and the same is hereby DENIED as moot, as Spar Medical is no longer a party to this action.

DONE this 17th day of February, 2006.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE